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**STATE OF IOWA**

# **Senate Journal**

**TUESDAY, MARCH 15, 2011**

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Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE SENATE

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SIXTY-FIFTH CALENDAR DAY  
THIRTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 15, 2011

The Senate met in regular session at 9:03 a.m., President Kibbie presiding.

Prayer was offered by Pastor Keith Smith of Motor Friends Church in Milo, Iowa. He was the guest of Senator Sorenson.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jared Elm.

The Journal of Monday, March 14, 2011, was approved.

### INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Mariannette Miller-Meeks, the governor's appointee to be the Director of Public Health. She was the guest of Senators Ragan and Seymour and the committee on Human Resources.

The Secretary of the Senate introduced John Baldwin, the governor's appointee to be the Director of the Department of Corrections. He was the guest of Senator Fraise and the committee on Judiciary.

### BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 476 and 496** be referred from the Regular Calendar to the committee on **Ways and Means**; and that **Senate File 499** be referred from the Regular Calendar to the committee on **State Government**.

## SPECIAL GUEST

President Kibbie introduced to the Senate chamber the Honorable Bryan Sievers, former member of the Senate from Scott County, New Liberty, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:10 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:43 a.m., President Kibbie presiding.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 462, 238, and 239.

**Senate File 462**

On motion of Senator Hancock, **Senate File 462**, a bill for an act making certain synthetic cannabinoids schedule I controlled substances, providing penalties, and including effective date provisions, was taken up for consideration.

Senator Hancock moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 462), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver

Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### SPECIAL GUEST

Senator Gronstal introduced to the Senate chamber the Honorable Cloyd Robinson, former member of the Senate from Johnson County, Cedar Rapids, Iowa.

The Senate rose and expressed its welcome.

### Senate File 238

On motion of Senator Quirmbach, **Senate File 238**, a bill for an act delaying the establishment of the state percent of growth for the budget year beginning July 1, 2012, for purposes of the state school foundation program, and including effective date provisions, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (**S.F. 238**), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirmbach	
Danielson	Hatch	Ragan	

Nays, 24:

Anderson	Chelgren	Hamerlinck	Seymour
Bacon	Dix	Houser	Smith
Bartz	Ernst	Johnson	Sorenson
Behn	Feenstra	Kapucian	Ward
Bertrand	Greiner	Kettering	Whitver
Boettger	Hahn	McKinley	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 239

On motion of Senator Quirnbach, **Senate File 239**, a bill for an act delaying the establishment of the categorical state percent of growth for the budget year beginning July 1, 2012, for purposes of the state school foundation program, and including effective date provisions, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 239), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 24:

Anderson	Chelgren	Hamerlinck	Seymour
Bacon	Dix	Houser	Smith
Bartz	Ernst	Johnson	Sorenson
Behn	Feenstra	Kapucian	Ward
Bertrand	Greiner	Kettering	Whitver
Boettger	Hahn	McKinley	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 260](#).

**[Senate File 260](#)**

On motion of Senator McCoy, [Senate File 260](#), a bill for an act eliminating the transfer tax imposed on insurers organized in other states who elect to become domestic insurers in Iowa, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 260](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 238, 239, 260, and 462** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 301](#).

[Senate File 301](#)

On motion of Senator Sodders, [Senate File 301](#), a bill for an act relating to economic development by making changes to the administration of the save our small businesses fund and program and including effective date provisions, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Sodders offered amendment [S-3104](#), filed by the committee on Appropriations on March 14, 2011, to pages 1–3 of the bill, and moved its adoption.

Amendment [S-3104](#) was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 301](#)), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 24:

Anderson	Chelgren	Hamerlinck	Seymour
Bacon	Dix	Houser	Smith
Bartz	Ernst	Johnson	Sorenson
Behn	Feenstra	Kapucian	Ward
Bertrand	Greiner	Kettering	Whitver
Boettger	Hahn	McKinley	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 301** be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 11:29 a.m. until 2:00 p.m.

#### APPENDIX—1

##### CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Coach Tom Betz, Sioux City—For leading the Bishop Heelan Team to its third consecutive championship at the Iowa State Basketball Tournament. Senator Bertrand (3/15/11).

Loretta Cronbaugh, Belle Plaine—For celebrating her 95<sup>th</sup> birthday. Senator Kapucian (3/15/11).

Alex Malloy, Sioux City—For being on the Iowa All Tournament Team, Bishop Heelan. Senator Bertrand (3/15/11).

Wesley Staten, Sioux City—For being the 2011 Iowa All Tournament Captain, Bishop Heelan. Senator Bertrand (3/15/11).



## INTRODUCTION OF BILLS

**Senate File 503**, by Hogg, a bill for an act providing an additional renewable energy tax credit.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

**Senate File 504**, by Feenstra, a bill for an act relating to state and local taxes, by establishing tax credits for commercial property taxes paid, amending provisions relating to property assessment limitations, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

**Senate File 505**, by Feenstra, a bill for an act relating to assessment of property for property tax purposes, property assessment protests, powers of the property assessment appeal board, funding of the property assessment appeal board, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

**Senate File 506**, by committee on Ways and Means, a bill for an act providing for a small employer health insurance tax credit as a percentage of the federal credit and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

## FINAL COMMITTEE REPORT OF BILL ACTION

### WAYS AND MEANS

**Bill Title:** \***SENATE FILE 506** (formerly **SF 248**), a bill for an act providing for a small employer health insurance tax credit as a percentage of the federal credit and including retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Seng, Zaun, Anderson, Bartz, Black, Chelgren, Dandekar, Feenstra, Hogg, Jochum, McCoy, Quirmbach, and Smith. Nays, none. Absent, 1: Dotzler.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 506](#), and they were attached to the committee report.

#### BILLS ASSIGNED TO COMMITTEE

President Kibbie announced the assignment of the following bills to committee:

H.F.	401	Labor and Business Relations
H.F.	461	Natural Resources and Environment
H.F.	484	State Government
H.F.	490	Judiciary
H.F.	493	Education
H.F.	499	State Government
H.F.	512	Local Government
H.F.	532	Agriculture
H.F.	536	State Government
H.F.	565	Judiciary

#### AFTERNOON SESSION

The Senate reconvened at 2:06 p.m., President Kibbie presiding.

#### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 261](#).

#### [Senate File 261](#)

On motion of Senator Jochum, [Senate File 261](#), a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including the administration of income taxes, sales and use taxes, franchise fees, property taxes, the environmental protection charge, and notification of annexation or

severance by cities and including retroactive applicability provisions, was taken up for consideration.

Senator Jochum offered amendment [S-3036](#), filed by her on February 21, 2011, to pages 5 and 6 of the bill, and moved its adoption.

Amendment [S-3036](#) was adopted by a voice vote.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 261](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 328](#).

## Senate File 328

On motion of Senator Schoenjahn, **Senate File 328**, a bill for an act relating to education and employment training by establishing the pathways for academic career and employment program and fund and the gap tuition assistance program and fund and making an appropriation, with report of committee recommending passage, was taken up for consideration.

Senator Bartz offered amendment **S-3109**, filed by Senator Bartz, et al., from the floor to pages 1–10 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment **S-3109** be adopted?” (**S.F. 328**), the vote was:

Yeas, 24:

Anderson	Chelgren	Hamerlinck	Seymour
Bacon	Dix	Houser	Smith
Bartz	Ernst	Johnson	Sorenson
Behn	Feenstra	Kapucian	Ward
Bertrand	Greiner	Kettering	Whitver
Boettger	Hahn	McKinley	Zaun

Nays, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirmbach	
Danielson	Hatch	Ragan	

Absent, none.

Amendment **S-3109** lost.

Senator Schoenjahn offered amendment **S-3098**, filed by him on March 14, 2011, to page 7 of the bill, and moved its adoption.

Amendment **S-3098** was adopted by a voice vote.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 328), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirmbach	
Danielson	Hatch	Ragan	

Nays, 24:

Anderson	Chelgren	Hamerlinck	Seymour
Bacon	Dix	Houser	Smith
Bartz	Ernst	Johnson	Sorenson
Behn	Feenstra	Kapucian	Ward
Bertrand	Greiner	Kettering	Whitver
Boettger	Hahn	McKinley	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 261** and **328** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 367, 404, 412, and 479.

#### Senate File 367

On motion of Senator Bowman, **Senate File 367**, a bill for an act concerning the protection of student athletes from concussions and other brain injuries, was taken up for consideration.

Senator Bowman offered amendment [S-3105](#), filed by him from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-3105](#) was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 367](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### **Senate File 404**

On motion of Senator Hatch, [Senate File 404](#), a bill for an act relating to health information technology including the creation of a statewide health information exchange, providing for fees, and including effective date provisions, was taken up for consideration.

Senator Hatch offered amendment [S-3090](#), filed by him on March 10, 2011, to pages 8, 12, and 24 of the bill.

(Amendment [S-3090](#) and [Senate File 404](#) were deferred.)

The Senate stood at ease at 2:49 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 3:13 p.m., President Kibbie presiding.

The Senate resumed consideration of [Senate File 404](#) and amendment [S-3090](#).

Senator Hatch moved the adoption of amendment [S-3090](#).

Amendment [S-3090](#) was adopted by a voice vote.

Senator Hatch moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 404](#)), the vote was:

Yeas, 38:

Bacon	Dearden	Hogg	Rielly
Bartz	Dotzler	Horn	Schoenjahn
Beall	Dvorsky	Houser	Seng
Black	Feenstra	Jochum	Seymour
Boettger	Fraise	Johnson	Smith
Bolkcom	Greiner	Kapucian	Sodders
Bowman	Gronstal	Kibbie	Ward
Courtney	Hahn	McCoy	Wilhelm
Dandekar	Hancock	Quirmbach	
Danielson	Hatch	Ragan	

Nays, 12:

Anderson	Chelgren	Hamerlinck	Sorenson
Behn	Dix	Kettering	Whitver
Bertrand	Ernst	McKinley	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 412

On motion of Senator Wilhelm, **Senate File 412**, a bill for an act relating to the powers and governance of benefited recreational lake districts, water quality districts, and combined recreational lake and water quality districts, with report of committee without recommendation, was taken up for consideration.

Senator Bartz offered amendment **S-3111**, filed by Senators Bartz and Wilhelm from the floor to page 2 of the bill, and moved its adoption.

Amendment **S-3111** was adopted by a voice vote.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (**S.F. 412**), the vote was:

Yeas, 33:

Bacon	Danielson	Hatch	Rielly
Bartz	Dearden	Hogg	Schoenjahn
Beall	Dotzler	Horn	Seng
Black	Dvorsky	Jochum	Seymour
Boettger	Fraise	Kapucian	Sodders
Bolkcom	Greiner	Kibbie	Wilhelm
Bowman	Gronstal	McCoy	
Courtney	Hahn	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, 17:

Anderson	Ernst	Kettering	Whitver
Behn	Feenstra	McKinley	Zaun
Bertrand	Hamerlinck	Smith	
Chelgren	Houser	Sorenson	
Dix	Johnson	Ward	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



## Senate File 479

On motion of Senator Seng, **Senate File 479**, a bill for an act providing for the possession of cats classified as bengals and savannahs, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 479), the vote was:

Yeas, 49:

Anderson	Dearden	Hogg	Schoenjahn
Bacon	Dix	Horn	Seng
Bartz	Dotzler	Houser	Seymour
Beall	Dvorsky	Jochum	Smith
Behn	Ernst	Johnson	Sodders
Bertrand	Feenstra	Kapucian	Sorenson
Black	Fraise	Kettering	Ward
Boettger	Greiner	Kibbie	Whitver
Bolkcom	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	
Danielson	Hatch	Rielly	

Nays, 1:

Bowman

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 367, 404, 412, and 479** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 490, 493, and 494.

**Senate File 490**

On motion of Senator Danielson, **Senate File 490**, a bill for an act authorizing and regulating savings promotion raffles, and granting licensing authority to the department of inspections and appeals, was taken up for consideration.

Senator Danielson offered amendment **S–3100**, filed by him on March 14, 2011, to pages 1–3 and amending the title page of the bill.

Senator Feenstra offered amendment **S–3106**, filed by him from the floor to pages 1 and 2 of amendment **S–3100**, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment **S–3106** to amendment **S–3100** be adopted?” (**S.F. 490**), the vote was:

Yeas, 20:

Anderson	Boettger	Hahn	McCoy
Bacon	Dix	Houser	McKinley
Bartz	Ernst	Johnson	Seymour
Behn	Feenstra	Kapucian	Smith
Bertrand	Greiner	Kettering	Whitver

Nays, 30:

Beall	Dearden	Hogg	Seng
Black	Dotzler	Horn	Sodders
Bolkcom	Dvorsky	Jochum	Sorenson
Bowman	Fraise	Kibbie	Ward
Chelgren	Gronstal	Quirnbach	Wilhelm
Courtney	Hamerlinck	Ragan	Zaun
Dandekar	Hancock	Rielly	
Danielson	Hatch	Schoenjahn	

Absent, none.

Amendment **S–3106** to amendment **S–3100** lost.

Senator Danielson moved the adoption of amendment S–3100.

A record roll call was requested.

On the question “Shall amendment S–3100 be adopted?” (S.F. 490), the vote was:

Yeas, 28:

Bartz	Danielson	Hatch	Ragan
Beall	Dearden	Hogg	Schoenjahn
Black	Dotzler	Horn	Seng
Bolkcom	Dvorsky	Jochum	Sodders
Bowman	Fraise	Kibbie	Sorenson
Courtney	Gronstal	McCoy	Ward
Dandekar	Hancock	Quirmbach	Wilhelm

Nays, 22:

Anderson	Dix	Houser	Seymour
Bacon	Ernst	Johnson	Smith
Behn	Feenstra	Kapucian	Whitver
Bertrand	Greiner	Kettering	Zaun
Boettger	Hahn	McKinley	
Chelgren	Hamerlinck	Rielly	

Absent, none.

Amendment S–3100 was adopted.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 490), the vote was:

Yeas, 30:

Bacon	Dandekar	Hancock	Schoenjahn
Bartz	Danielson	Hatch	Seng
Beall	Dearden	Hogg	Sodders
Black	Dotzler	Horn	Sorenson
Bolkcom	Dvorsky	Jochum	Ward
Bowman	Fraise	Kibbie	Zaun
Chelgren	Gronstal	Quirmbach	
Courtney	Hamerlinck	Ragan	

Nays, 20:

Anderson	Ernst	Johnson	Rielly
Behn	Feenstra	Kapucian	Seymour
Bertrand	Greiner	Kettering	Smith
Boettger	Hahn	McCoy	Whitver
Dix	Houser	McKinley	Wilhelm

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### Senate File 493

On motion of Senator Jochum, **Senate File 493**, a bill for an act relating to the operations of certain common interest communities, was taken up for consideration.

Senator Whitver offered amendment **S-3091**, filed by Senators Whitver and Jochum on March 10, 2011, to pages 17, 20, and 21 of the bill, and moved its adoption.

Amendment **S-3091** was adopted by a voice vote.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (**S.F. 493**), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver

Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### Senate File 494

On motion of Senator Hogg, **Senate File 494**, a bill for an act relating to the foreclosure of a real estate mortgage, was taken up for consideration.

Senator Hogg offered amendment **S-3110**, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-3110** was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (**S.F. 494**), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirmbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 490, 493, and 494** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 456](#).

[Senate File 456](#)

On motion of Senator Dvorsky, [Senate File 456](#), a bill for an act relating to persons prohibited from possessing or receiving firearms because of mental health commitments or adjudications and to petitions for relief from such prohibitions, and including effective date and applicability provisions, was taken up for consideration.

Senator Dvorsky offered amendment [S–3113](#), filed by him from the floor to page 3 of the bill, and moved its adoption.

Amendment [S–3113](#) was adopted by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 456](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders
Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm

Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirnbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 456** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:31 p.m. until 9:00 a.m., Wednesday, March 16, 2011.

#### APPENDIX—2

#### CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Ruby Beekman, Atlantic—For celebrating her 90<sup>th</sup> birthday. Senator Boettger (3/15/11).

Glorianne Eads, Burlington—For celebrating her 85<sup>th</sup> birthday. Senator Courtney (3/15/11).

Pastor Owen Englin, Church of Christ, Rockwell City—For serving as Chaplain of the Day. Senator Beall (3/15/11).

Estherville Lincoln Central Girls' Basketball Team—For their unprecedented second place finish in the state tournament. Senator Kibbie (3/15/11).

Allen and Linda Flagel, Preston—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Bowman (3/15/11).

John and Pat Latty, Burlington—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Courtney (3/15/11).

Raymond Kaufman, Mount Pleasant—For celebrating his 80<sup>th</sup> birthday. Senator Courtney (3/15/11).

Leo Martin, Burlington—For celebrating his 80<sup>th</sup> birthday. Senator Courtney (3/15/11).

Darle Pedersen, Harlan—For celebrating her 95<sup>th</sup> birthday. Senator Boettger (3/15/11).

Margaret Schupick, Burlington—For celebrating her 85<sup>th</sup> birthday. Senator Courtney (3/15/11).

Merle E. and Muryl Jean Vokt, Adair—For celebrating their 60<sup>th</sup> wedding anniversary. Senator Boettger (3/15/11).

## REPORTS OF COMMITTEE MEETINGS

### COMMERCE

**Convened:** Tuesday, March 15, 2011, 1:05 p.m.

**Members Present:** Dandekar, Chair; Rielly, Vice Chair; Behn, Ranking Member; Anderson, Beall, Courtney, Feenstra, Kettering, Seng, Ward, Wilhelm, and Zaun.

**Members Absent:** Bolcom, McCoy, and Schoenjahn (all excused).

**Committee Business:** Passed [HF 328](#). Approved governor's appointees.

**Adjourned:** 1:20 p.m.

### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

**Convened:** Tuesday, March 15, 2011, 12:00 p.m.

**Members Present:** Jochum, Chair; Danielson, Vice Chair; Bartz, Ranking Member; Bowman and Ernst.

**Members Absent:** None.

**Committee Business:** Discussed and adopted Senate budget spreadsheet.

**Adjourned:** 1:00 p.m.



## STUDY BILLS RECEIVED

**SSB 1195      Ways and Means**

Relating to certain fees collected by the county sheriff.

**SSB 1196      Ways and Means**

Providing income tax credits for the construction and installation of solar energy systems and wind energy systems, and including effective date and retroactive applicability provisions.

**SSB 1197      Appropriations**

Relating to and making appropriations to the judicial branch.

**SSB 1198      Appropriations**

Relating to and making appropriations to the justice system.

**SSB 1199      Appropriations**

Relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters and including immediate effective date provisions.

## SUBCOMMITTEE ASSIGNMENTS

**Senate File 411**

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

**Senate File 476**

WAYS AND MEANS: Hogg, Chair; Bartz and Black

**Senate File 496**

WAYS AND MEANS: Hogg, Chair; Anderson and Bolkom

**Senate File 502**

STATE GOVERNMENT: Sodders, Chair; Bertrand and Hatch

**Senate File 503**

WAYS AND MEANS: Hogg, Chair; Anderson and Black

**Senate File 504**

WAYS AND MEANS: Quirmbach, Chair; Feenstra and Hogg

**Senate File 505**

WAYS AND MEANS: Quirmbach, Chair; Feenstra and Seng

**House File 148**

STATE GOVERNMENT: Danielson, Chair; Dix and Jochum

**House File 254**

COMMERCE: McCoy, Chair; Behn and Dandekar

**House File 324**

STATE GOVERNMENT: Hatch, Chair; Kibbie and Smith

**House File 461**

NATURAL RESOURCES AND ENVIRONMENT: Sorenson, Chair; Behn and Hancock

**House File 512**

LOCAL GOVERNMENT: Rielly, Chair; Bacon and Wilhelm

**House File 532**

AGRICULTURE: Bowman, Chair; Kapucian and Rielly

**House File 565**

JUDICIARY: Hogg, Chair; Horn and Ward

**SSB 1195**

WAYS AND MEANS: Hogg, Chair; Feenstra and Seng

**SSB 1196**

WAYS AND MEANS: Bolkcom, Chair; Bartz and Hogg

**SSB 1197**

APPROPRIATIONS: Hogg, Chair; Dvorsky and Seymour

**SSB 1198**

APPROPRIATIONS: Hancock, Chair; Dvorsky and Seymour

**SSB 1199**

APPROPRIATIONS: Dotzler, Chair; Boettger and Dvorsky

**FINAL COMMITTEE REPORTS OF BILL ACTION****COMMERCE**

**Bill Title:** [HOUSE FILE 328](#) (HSB 79), a bill for an act relating to matters under the purview of the division of banking of the department of commerce, and including effective date provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Dandekar, Rielly, Behn, Anderson, Beall, Courtney, Feenstra, Kettering, Seng, Ward, Wilhelm, and Zaun. Nays, none. Absent, 3: Bolkcom, McCoy, and Schoenjahn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ECONOMIC GROWTH/REBUILD IOWA**

**Bill Title:** [HOUSE FILE 267](#) (formerly [HF 210](#)), a bill for an act relating to the identification of historic properties by certain rural electric cooperatives.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN [S-3112](#).

**Final Vote:** Ayes, 14: Soddors, Greiner, Bacon, Bertrand, Bowman, Chelgren, Dandekar, Danielson, Hatch, Horn, Rielly, Ward, Whitver, and Wilhelm. Nays, none. Absent, 1: Dotzler.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendation for confirmation:

### COMMERCE

Mark Schuling – Consumer Advocate

Janet Pepper – Credit Union Review Board

JoAnn Johnson – Superintendent of Credit Unions

Richard Bruner – Iowa Telecommunications and Technology Commission

Shannon Cofield – Iowa Telecommunications and Technology Commission

Timothy Lapointe – Iowa Telecommunications and Technology Commission

Kimberly Downing-Manning – Title Guaranty Division Board

Charles Winkleblack – Title Guaranty Division Board

Libby Jacobs – Chair of Utilities Board

Libby Jacobs – Utilities Board

### ECONOMIC GROWTH/REBUILD IOWA

David Greenspon – Iowa Finance Authority

Michel Nelson – Iowa Finance Authority

Ruth Randleman – Iowa Finance Authority

## WITHDRAWAL AND DEFERRAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on March 15, 2011:

I am withdrawing the name of David Chung to serve as an Iowa State Civil Rights Commission member from further consideration by the Senate.

Pursuant to Iowa Code section 216.3, please accept this letter as the notice of deferment of the appointment to the Iowa State Civil Rights Commission, formerly held by Rich Eychaner. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,  
TERRY E. BRANSTAD  
Governor

## AMENDMENTS FILED

S-3105	S.F.	367	Tod R. Bowman
S-3106	S.F.	490	Randy Feenstra
S-3107	S.F.	482	William A. Dotzler, Jr.
S-3108	S.F.	293	Jeff Danielson
S-3109	S.F.	328	Merlin Bartz
			Pat Ward
			James Seymour
			Jerry Behn
			Jack Whitver
			Steve Kettering
			Brad Zaun
			Nancy J. Boettger
			David Johnson
			Robert Bacon
			Roby Smith
			James Hahn
			Shawn Hamerlinck
			Joni Ernst
			Rick Bertrand
			Bill Anderson
			Randy Feenstra
			Bill Dix
			Mark Chelgren
			Paul McKinley
			Hubert Houser
			Sandra Greiner
			Tim L. Kapucian
			Kent Sorenson
S-3110	S.F.	494	Robert M. Hogg
S-3111	S.F.	412	Merlin Bartz
			Mary Jo Wilhelm
S-3112	H.F.	267	Economic Growth/Rebuild Iowa
S-3113	S.F.	456	Robert E. Dvorsky